

TUTHILL ON THE WITNESS STAND

Terribly Damaging Testimony Given by Neighbor.

ESTATE LEFT TO CHILDREN

UNABLE TO ACCOUNT FOR LATIMER'S QUESTION.

NEW YORK, July 22.—The coroner's inquest, called to investigate the shooting of Albert C. Latimer at his home in Brooklyn on the morning of July 2, was resumed today. Latimer died in a hospital.

All he told of the shooting was that he was shot in bed, and that he did not believe it was done by a burglar.

Frank Taylor testified that he heard shots on the morning of July 2, and that some one cried out:

"Walter, Walter."

Mrs. Bella Treadwell testified that a long time ago Mrs. Latimer had said it was "hard to be tied to a man and see some one shot and really loved."

H. Tuthill testified that he had read that Latimer, when in the hospital, asked if he (Tuthill) was being watched. He denied that a meeting between himself and Mrs. Latimer in twenty-third street, New York, told of by Latimer's sister, was prearranged.

The matter was explained to Latimer, and they continued friends. On the night of the shooting he went to the Clarendon hotel, called on a young woman friend, whose name he would give if required, and then he went home, arriving there at 11:15.

Later a patrol wagon was sent for him by Mrs. Latimer, and he went to her home and did what he could for her. He said he could not account for Latimer's question: "Is Tuthill being watched?"

Stayed at Latimer Home.

It was true, he said, that he stayed at the Latimer home two nights after the shooting, but he did so because none of Latimer's brothers was able to remain there.

Hannah Larson, a servant in the Tuthill home, corroborated Tuthill's statement that he had arrived at his home at 11:15.

Elias Kasindorf, who lives near the Latimer house five minutes before the shooting, could see the back yard of the Latimer house, and was sure that no one escaped that way.

Mrs. Albert C. Latimer, the widow, was recalled and asked to describe the man she said shot her husband. She said the man wore a mask, so that she could not see his face; therefore she did not know the color of his eyes, nor whether he had a mustache. He was of medium height. He wore the peaked cap found in the house after the shooting.

The hearing went over until tomorrow.

Latimer's will was filed today. It disposed of property worth \$150,000. With the will was filed a codicil, written on a prescription blank while Latimer lay on his deathbed in St. Mary's hospital. This codicil, which is incoherent, reads as follows:

"Codicil: I desire all of my among my children only."

(Signed) "A. C. LATIMER."

The original will was the widow one-tenth of the property absolutely, and the income of one-third additional for life, the remainder of the estate to go to the children.

FULL BLOODED INDIAN

SUES WIFE FOR DIVORCE

Guthrie, O. T., July 22.—The first case on record wherein a full-blooded Indian has petitioned for a divorce has occurred in the federal court at Pawnee when Spah-Pah-Bear asked a legal separation from his wife, Maude, who is a white woman with infidelity, abandonment and with gross neglect of her household duties. The plaintiff was fifty years old, almost blind, and was accompanied by several sons and daughters. The wife did not appear in court.

The evidence was taken through interpreters. Judge Haines granted the divorce.

GERMAN TARIFFS RAISED.

Prussian Representatives Make a Strong Fight, But Lose.

Berlin, July 22.—During the last sitting of the customs tariff committee of the reichstag, numerous increases upon the schedule proposed by the government were adopted, despite the vigorous opposition of the Prussian representatives.

Furniture, wood pulp, paving stone, brick and cellulose, all had the tariff raised. Count von Posadowski-Wehner, imperial secretary of state for the interior, protesting, said:

"Through such increased duties our commercial armor may become too heavy for us to fight in it successfully. The tariff bill, framed after long discussion in the federal council, already constitutes a compromise which should not be imperiled in order to gratify private wishes and local interests."

The Lokal Anzeiger quotes Count von Posadowski-Wehner as telling the tariff committee today:

"I can say to you, gentlemen, that my belief is our tariff bill will never pass."

The count made use of the above expression as a time to his speech against the proposed increases in the tariff. His declaration has made a tremendous sensation in political circles, and the ministry, probably through a desire to modify the naked statement of Count Posadowski-Wehner, published a weaker statement of his words.

ESTIMATES FOR 1904.

Many River and Harbor Projects in Course of Construction.

Washington, July 22.—Captain W. C. Langfitt, in charge of river and harbor works in Oregon, in his annual report to the chief of engineers, makes the following estimate for 1904:

Willamette river, above Portland and Yarnhill river, \$50,000; Columbia river and lower Willamette, below Portland, \$50,000; to complete the project, \$2,573,500; mouth of the Columbia river, Oregon and Washington, \$800,000; to complete the project, \$1,776,181; tributaries of the Columbia river, below the Willamette, \$400,000; Coquille river, Oregon, \$45,000; Coos bay, Oregon, \$2,570; to complete the project, \$1,741,412; St. Lawrence river, Oregon, \$15,000; to complete the project, \$53,000; improvement of the Columbia river at the Dalles, \$300,000; improvements of the Columbia river at the Cascades, \$235,260.

SANTOS-DUMONT IN NEW YORK.

New York, July 22.—George Von S. Mayer, United States ambassador to Italy, and Alberto Santos-Dumont, the Brazilian aeronaut, were among the passengers on the steamship Kronprinz Wilhelm, which arrived today from Bremen.

Santos-Dumont, who is scheduled to make a series of airship ascensions near New York, said he was very glad to hear there would be several competitors for the prizes offered at the St. Louis exhibition, as it would stimulate interest in the building of airships.

WARFARE IN KENTUCKY

Assassination of Cockrell Will Probably Cause Another Bloody Conflict.

Lexington, Ky., July 22.—James Cockrell, town marshal, who was brought here from Jackson today, was mortally wounded and died today. He was shot from the court house window at Jackson yesterday by the unknown assassin of the wounded men say they fear his death will be the signal for a prolonged and disastrous warfare in Breathitt county.

A report reached here today that the wholesale store of William Jett at Jackson was burned last night by incendiaries. Jett is a relative of Curt Jett, with whom Cockrell got into a shooting affray at Jackson a week ago. The burning of the store puts another alarming phase on the feud between the two families.

There is talk here among the members of the party who brought Cockrell here of laying the situation before the governor and asking state interference.

TO BE BURIED TODAY.

Brother of Deceased to Leave Town After Funeral.

Jackson, Ky., July 22.—James Cockrell, assassinated yesterday from an upper window of the court house, will be buried tomorrow morning. There was no demonstration today when the remains arrived from the Lexington hospital, and the town is quiet tonight, but the general impression is that after the funeral the friends of Cockrell will assume the aggressive and the Harris faction the defensive.

It is generally known that both sides have their arms stored about the town and are ready to line up at any time. Samuel Jett, uncle of the dead boy, is expected to become the leader now of the Cockrells.

With the exception of Thomas Cockrell, now in jail for the murder of Benjamin Harris, the eldest in the family, Mr. McKinley Cockrell, aged 19, and too young to be made a leader in such a contest as is expected. The funeral tomorrow must take place from the Cockrell farm near Jackson.

McKinley Cockrell said tonight that he would leave as soon as the burial of his brother was over, and very many others are leaving the town.

SUSPENDED AND FINED.

Major Glenn Found Guilty by Court-martial—Cook Acquitted.

Washington, July 22.—Secretary Root today sent to the president at Oyster Bay the proceedings and findings in the court-martial case of Major Edwin F. Glenn, Fifth infantry, Lieutenant Julian E. Gault, Tenth cavalry, and Lieutenant Norman E. Cook of the Philippine scouts.

Glenn was found guilty of administering the water cure to natives, or permitting it to be done, and was sentenced to one month's suspension from duty and fined \$50.

Lieutenant Cook was acquitted on a charge of giving orders to kill three Filipino prisoners. The testimony showed that he had given orders to shoot the prisoners if they attempted to escape. The Filipino scouts to whom this order was given thought it meant to shoot the prisoners.

In forwarding the cases to the president, the secretary recommends that the sentences and findings be approved, but that no other action shall be taken. It is believed that the president, who is the reviewing authority in these cases, will make any comments such as were delivered by him in the case of General Smith.

It is shown in the evidence and reports that Major Glenn has performed excellent service and has done much to pacify the country where he has been in command.

COLONEL WARD PROMOTED.

Grant Tendered Command of Department of Texas.

Washington, July 22.—Colonel Thomas Ward, Major of the First Cavalry, was today appointed a brigadier general in the regular army, vice Jacob Smith, retired.

General Ward himself will retire in the course of a day or two, when Colonel Joseph H. Sanger, inspector general, will become a brigadier general.

General Frederick D. Grant, at present in the Philippines, has been tendered the command of the department of Texas, and it is thought here he will accept it. This is the department to which General Smith originally was assigned.

OUTLINES PARTY ISSUES.

Georgia Democrat Says Chances Are Good For Control of House.

New York, July 22.—Congressman James M. Griggs of Georgia, chairman of the Democratic congressional campaign committee, who is in this city to meet other members of his committee, says the issue of the next campaign from a Democratic standpoint should be the tariff, and, secondly, the Philippines and ship subsidy.

"I think there is a very good chance," he said, "for the Democrats to control the next house on the issues I have named."

Mr. Griggs will meet Lewis Nixon, the chairman of the finance committee of the national committee, today and arrange with him for the campaign of the headquarters of his committee in New York. The committee will have its home at the Hoffman house, beginning Aug. 1.

DEATH LIST GROWING.

Latest Reports Say That 104 Passengers Are Dead or Missing.

Hamburg, July 22.—The Primis, which with 185 passengers was cut in two and sunk by the tug Hausa yesterday, has been partially raised and brought nearer shore. The total number of missing is now placed at 104. Sixty-one bodies have been recovered.

Inquiry into the circumstances of the disaster shows that there is a great lack of life-saving appliances on the Elbe excursion steamers. The Primis is known to have had on board only six life belts and a single boat.

The steamer Dolphin, which came up later with 400 passengers, also had only one boat, capable of carrying seven persons.

CLAIMS PRIOR RIGHT.

Colorado Farmers Ask Restoring Order Against Denver.

Denver, July 22.—About 100 farmers, consumers of water along the city ditch, have filed suit in the district court asking the injunction issue to restore to the city of Denver from giving permission to the Denver Union Water company to run the city ditch water through its pipes.

The complainants aver that the water is necessary to them and their right is prior to that of the water company. Judge Johnson issued a temporary injunction. What makes this a matter of importance is the statement of the water company that the water supply is greatly impaired and the city is in serious danger of a water famine.

KING WALKED YESTERDAY.

London, July 22.—The weather was less disagreeable at Cowes this morning, and the reports from the royal yacht Victoria and Albert continue to chronicle King Edward's improvement. It is said that he walked a few steps yesterday.

The king will hold his first council since A. J. Balfour became premier on board the yacht shortly. It is expected that the new lord lieutenant of Ireland to succeed Earl Cadogan, whose resignation was made public July 17, will then be announced.

JEALOUS YCAUSES TRAGEDY.

Harrisburg, Pa., July 22.—William Filer, a steel worker, shot and killed his wife and Harry Bennett, a machinist, today at Steelton. It is alleged Filer was jealous of Bennett's attentions to his wife. The murderer escaped.

LARRY CRONIN DEAD.

Ouray, Colo., July 22.—Larry Cronin, superintendent of the Camp Bird mine, who fell 120 feet down a marble shaft yesterday afternoon, died today from internal injuries.

FOR EDUCATION

LIEUTENANTS APPOINTED DURING SPANISH WAR TO STUDY TACTICS.

WASHINGTON, July 22.—Secretary Root, before leaving Washington today, issued the following:

"With the reduction of the Philippine force and the withdrawal from Cuba, the army is called upon to resume its most important work in time of peace—the work of perfecting itself in military science and skill, and in promoting the preparation of the United States against future wars. I wish to call your attention to the conditions which now require special effort and zeal on your part in the performance of this duty."

"Since the declaration of war with Spain, in April, 1898, there have been appointed in the line of the army 1,542 lieutenants, in addition to 276 appointed from the military academy. Of these 616 were appointed from officers of volunteers under the act of Feb. 2, 1901; 414 were appointed from the enlisted men of the regular and volunteer armies and 512 were appointed from civil life."

"The abandonment of the military schools for commissioned officers, which followed the employment of the entire army in active military operation, has left these 1,542 new lieutenants substantially without any means of acquiring a systematic military education."

"While many of the former officers of volunteers have acquired the most valuable experience by active service in the field, yet it is of great importance to them, as well as to the untrained appointees from civil life and from the ranks, that they shall have an opportunity for broad and thorough training, both practical and theoretical, and competent masters in the art of war whom our army is able to supply."

Army Schools Reopened.

"Congress has now, with wise liberality, made provision for the reopening of the army schools, has given its sanction to the general system of military education embodied in the general order of Nov. 27 last, including the enlargement and development of the Fort Leavenworth school into a general service and staff college, the establishment of a war college at Washington, with a suitable building, and the rebuilding of the engineers' school, and has made ample appropriations for these purposes."

"Every effort will be made by the war college board, which has general supervision and charge of the whole system, to bring its advantages to the new officers of the army as speedily as possible and to organize officers' schools at all the considerable posts without delay."

"I ask for hearty co-operation with them on the part of every officer of the army. There are 1,452 graduates of the military academy now holding commissions. They especially have an opportunity to demonstrate their loyalty to the principles of that institution by helping to diffuse throughout the service the benefits which have come to them from their four years of hard work."

"The newly appointed officers should realize that in order to qualify for an independent command, which they should all hope, they should devote much of their time to the systematic study of the reasons of military actions and the materials and the conditions and difficulties with which military commanders are forced to deal."

"Careful attention to the instruction of the newly appointed officers is enjoined on all regimental troops, battalions and company commanders. They should be impressed with the importance of the faithful performance of every duty, however unimportant it may appear to them, and with their responsibility for such conduct and behavior in all their relations as shall do honor to the service."

KING REMEMBERS TOOLE.

Famous Actor Celebrates Anniversary of His Appearance.

London, July 22.—In company with Sir Henry Irving and other friends, John Lawrence Toole, the comedian, celebrated at Brighton today the jubilee of his first appearance on the boards. Mr. Toole received many gifts and King Edward sent him from Cowes a congratulatory telegram. Mr. Toole is an invalid, but is still able to drive daily. This evening he went to the theatre with Sir Henry Irving.

A PALACE FOR THE DEAD.

Mackay Mausoleum Cost \$300,000—Contains Daily's Body.

New York, July 22.—The Mackay mausoleum in Greenwood cemetery, in which the body of John W. Mackay will be placed, is complete about two years ago. It is built of granite with a marble interior, and cost about \$300,000.

A large granite cross surmounts the building, and at each corner of the roof there is a large granite vase. The mosaic work of the marble floor and ceiling is elaborate, and the interior is in the form of a chapel, with electric lights around the ceiling and electric light fixtures around the opening of the bronze doors.

The body of Mr. Mackay's son, John W. Mackay, died in 1888, was placed in the mausoleum soon after its completion. The body of Mrs. Mackay's father rests there. The body of Marcus Daly also is in one of the crypts, pending the death of the body of Mrs. Mackay will be placed in the crypt directly under the altar.

A MESSAGE FOR MACKAY.

Cunard Lines Has Wireless Telegram For Millionaire's Son.

London, July 22.—The Cunard line steamer Saxonia, sailing from Liverpool for Boston today, has a wireless telegram for Clarence H. Mackay, son of the late John W. Mackay, who sailed from New York Saturday, July 19, on the Campania. The Saxonia hopes to communicate with the Campania tomorrow or Thursday.

The remains of Mr. Mackay have been embalmed and placed in a metallic coffin, which is now resting in the music room of the Mackay residence, surrounded by flowers which have been sent in great profusion. Cards, letters and telegrams from many distinguished persons in all parts of the world continue to arrive in great numbers.

Mrs. Mackay is as well as could be expected.

WASHOUT CAUSES WRECK.

El Paso, Tex., July 22.—Galveston, Houston and San Antonio passenger train was derailed by a washout eight miles east of Sierra Blanca today. The engine and mail cars were overturned. Gus Entery, colored porter, was killed, and E. E. Evans was seriously hurt. A number of passengers sustained slight injuries.

MAY HINDER LUCIN CUT-OFF

Famous Scientist Talks of Bottom of Lake.

Dr. Adolphus T. Keckeler, the noted American scientist who has been in the city for the past few days, spent the afternoon at Salt Lake yesterday gathering some information about Utah's famous and mysterious dead sea. Dr. Keckeler, who is one of the most famous scientists of this country, and is considered an authority upon a number of scientific matters, is on his third trip around the world, and will go from here to the Yellowstone to study the geological formation of that country, after which he will go to Alaska to measure the movements of the Muir glacier.

Dr. Keckeler is very much interested in Salt Lake, and will remain over a day or two longer to get more information about the salty body of water. When asked about the fluctuations of the lake that have caused so much discussion of late, Dr. Keckeler stated that he had not been able to secure information.

Dr. Keckeler was born and raised in this country, and has resided for forty years in Cincinnati, O., where he has been at the head of a number of scientific organizations. He has been around the world twice, and has crossed the ocean sixty-two times in his sixty-four years of life. He has visited almost every country on the globe and made studies of the people and the geological construction of the various places. He bears an international reputation and was decorated with the Red Eagle of Germany for a work on science which he read that country. He has spent much time in the study of the origin and development of man, and has made experiments along this line with the celebrated Darwin. He was also a friend of Dickens, Tolstoi, the Brownings and many other famous men of letters and science.

Dr. Keckeler has devoted much of his time to the study of thought, what it is, what its origin was and how it is influenced. At the present time he is engaged in writing a book on "The Philosophy of Thought," in which he says he will demonstrate and explain some things that will throw an entirely new light upon this matter that is looked upon as the important thing in the field of science today. He has made an exhaustive study of the thought of different nationalities, and his book will be written upon facts secured by experiments upon these different peoples. After he leaves Alaska he will go to Japan and then to India, where he will make further investigations along that line.

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